



#23  
BA 9/2/04

Atty Dkt 204694.00073

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	:	Examiners: J. Wilson
VAUGHN KEENAN, ET AL.	)	W. Garber
	:	
Application No.: 09/876,230	)	Group Art Unit: 2612
	:	
Filed: June 8, 2001	)	Confirmation No.: 6194
	:	
For: CAMERA-BASED SYSTEM FOR	)	
CAPTURING IMAGES OF A	:	
TARGET SURFACE	)	August 27, 2004

**RECEIVED**

AUG 31 2004

Technology Center 2600

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESPONSE TO OFFICE ACTION**

Sir:

In further response to the Office Action dated October 27, 2003, and in view of the comments provided with the Advisory Action dated June 8, 2004, Applicants submit the attached Declaration of Inventors Under 37 CFR § 1.131 for consideration.

Applicants respectfully request that the outstanding rejections based on Vanderwerf et al. be withdrawn, as Vanderwerf et al. is not citable as prior art against the present application. Applicants conceived and diligently reduced to practice the claimed inventions prior to the March 3, 1999 priority date of Vanderwerf et al., as set forth in the attached Declaration of Inventors under 37 C.F.R. § 1.131.

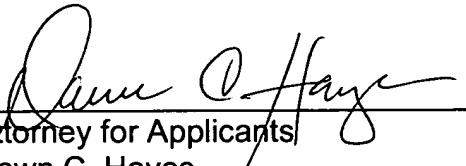
Applicants submit that in view of the Declaration of Inventors, Rodriguez, Jr. et al. is also not citable as prior art against the present application. It was indicated in the Advisory Action dated January 20, 2004 that rejections based on Rodriguez, Jr. et al. would be forthcoming upon a demonstration of diligence sufficient to overcome the rejections based on Vanderwerf et al. Applicants conceived and diligently reduced to practice the claimed inventions prior to the March 3, 1999 priority date of Rodriguez, Jr. et al., as set forth in the attached Declaration of Inventors under 37 C.F.R. § 1.131.

Applicants submit that the evidence of prior invention included with the Declaration demonstrates diligence in reducing to practice the claimed invention, from a date prior to the March 3, 1999 priority date of the Vanderwerf et al. and Rodriguez, Jr. et al. patents, to the June 8, 2001 filing date of the present application.

In view of these remarks, it is believed that this application is now in condition for allowance, and a Notice thereof is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
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